

REMARKS/ARGUMENTS

In the Final Official Action, claims 24-25, 27-28, 30-41, and 44-46 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 24-25, 27-28, 30-41, and 44-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over OUCHI (the English machine translation of JP 2000-181784) in view of WONG et al. (U.S. Patent No. 6,466,476 B1).

Upon entry of the present amendment, independent claims 24 and 41 have been cancelled. Claims 1-24, 26, 29, and 41-43 were previously cancelled. New independent claims 47 and 50, and new dependent claims 48-49 and 51-52, have been added. Dependent claims 25, 27, 30, 32-40, and 44-45 have been amended. Thus, claims 25, 27-28, 30-40, and 44-52 are currently pending for consideration by the Examiner. Applicants submit that support for the present amendment is at least provided in Applicants' Figures 15B, 16, 17, and the corresponding descriptions provided in Applicants' specification.

In the Final Official Action, claims 24-25, 27-28, 30-41, and 44-46 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. More specifically with regard to independent claims 24 and 41, the Final Official Action asserts that the specification does not describe the following provisions of the claimed subject matter, i.e., "wherein when receiving the write command, the controller selects the first or second recording area based solely upon the specified data type of the received data and writes the received data to the selected area," (emphasis added), in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention.

Upon entry of the present amendment, each of independent claims 24 and 41 having the objectionable language cited above has been cancelled. Accordingly, Applicants respectfully

submit that the rejection of claims 24-25, 27-28, 30-41, and 44-46 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, has been rendered moot.

In the Final Official Action, claims 24-25, 27-28, 30-41, and 44-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over OUCHI in view of WONG. Upon entry of the present amendment, each of independent claims 24 and 41 has been cancelled. Accordingly, Applicants respectfully submit that the rejection of claims 24-25, 27-28, 30-41, and 44-46 under 35 U.S.C. § 103 (a) as being unpatentable over OUCHI in view of WONG, has been rendered moot.

In the present amendment, Applicants have added new independent claims 47 and 50. Applicants respectfully submit that the combination of features recited in each of new independent claims 47 and 50 are not disclosed or rendered obvious by any of the cited prior art documents, including OUCHI, WONG, and the combination thereof.

New independent claim 47, for instance, recites: *a first receiver operable to receive a position setting command including an address and a separate a second receiver operable to receive a write command including an address, and write data* (emphasis added).

New independent claims 47 also recites: *a selector operable to select the first or second recording area as an access area according to the address stored in the storage and the address included in the write command received by the second receiver* (emphasis added).

Applicants respectfully submit that neither OUCHI, nor WONG, nor the combination thereof discloses or renders obvious the combination of features recited in new independent claim 47, including the above-cited features of new independent claim 47. Accordingly, Applicants submit that new independent information recording medium claim 47 is in condition

for allowance. Additionally, Applicants submit that new independent control method claim 50 is also patentable for reasons similar to the reasons discussed above regarding new independent claim 47, since new independent claim 50 recites features similar to the features recited above regarding new independent claim 47.

Furthermore, Applicants submit that dependent claims 25, 27-28, 30-40, 45-46, 48-49, and 51, which depend upon new independent claim 47, and dependent claims 44 and 51, which depend upon new independent claim 50, are also patentable for at least the reasons discussed above, and further for the additional features recited therein.

In conclusion, Applicants respectfully submit that currently pending claims 25, 27-28, 30-40, and 44-52 satisfy all of the regulatory and statutory requirements for patentability, for at least the reasons discussed above. Accordingly, Applicants respectfully request that an indication of the allowability of claims 25, 27-28, 30-40, and 44-52 be provided in the next Official communication.

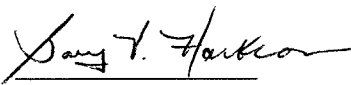
SUMMARY

From the amendments, remarks, and arguments provided above, Applicants respectfully submit that all of the pending claims in the present patent application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Final Official Action is respectfully requested, and an indication of the allowance of claims 25, 27-28, 30-40, and 44-52 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the present patent application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims that have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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